

JCWS/CS 02 FEB 2004

From: John A. Smart 1 408 490 2853 To: OIPE Filing Receipt Corrections

Date: 01/31/2004 Time: 6:49:42 AM

Page 1 of 7

Docket No. VIV/0012.01

PTO/SB/21 (05-03)

Approved for use through 04/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL  
FORM**

(To be used for all correspondence after initial filing)

		Application Number	10/605,644
		Filing Date	October 15, 2003
		First Named Inventor	Teixeira
		Art Unit	Unassigned
		Examiner Name	Unassigned
Total Number of Pages in This Submission	7	Attorney Docket Number	VIV/0012.01

**ENCLOSURES (Check all that apply)**

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <input type="checkbox"/> Request for Corrected Filing Receipt
Remarks		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	John A. Smart
Signature	
Date	January 31, 2004

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	John A. Smart	Phone: 408 884 1507
Signature		Fax: 408 490 2853
Date	01/31/2004	

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PATENT  
Docket No. VIV/0012.01

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Steven L. Teixeira

Serial No.: 10/605,644

Filed: 10/15/2003

For: System and Methodology Providing  
Information Lockbox

Examiner: Unassigned

Art Unit: Unassigned

REQUEST FOR CORRECTED FILING  
RECEIPT

Commissioner for Patents  
Office of Initial Patent Examination -- Filing Receipt Corrections  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant respectfully requests the issuance of a Corrected Filing Receipt for the above-referenced regular (non-provisional) patent application serial no. 10/605,644 (the '644 application), for the reasons stated below.

A copy of Filing Receipt mailed January 22, 2004 for the '644 application (Attachment #1) is marked to show the corrections requested by Applicant. As shown, Applicant requests correction of an error under the section titled "Domestic Priority data as claimed by applicant". This section indicates that the 644 application claims the benefit of 60/481,054 filed 07/02/2003. However, the Filing Receipt No. 2643 incorrectly states the following: "*(\*Data provided by applicant is not consistent with PTO records.*" Accordingly, Applicant respectfully requests the deletion of this incorrect statement as shown on the proposed corrected Filing Receipt attached hereto as Attachment 1.

Applicant's '644 application correctly claims the benefit of domestic priority to provisional patent application serial no. 60/481,054 (the '054 application) filed

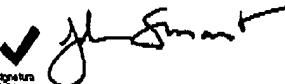
07/02/2003. The filling particulars of the '054 application are evidenced by its Filing Receipt, a copy of which is attached hereto as Attachment #2. As shown, the Filing Receipt for the '054 application confirms that that application has been assigned an application serial no. of 60/481,054 and a filing date of 07/02/2003, which exactly matches the priority information claimed in the '644 application filling. Accordingly, the statement made on Filing Receipt of the '644 application that the data provided by Applicant is not consistent with PTO records appears on its face to be incorrect and should be deleted.

If the Office somehow still believes that the priority claim of the '644 application to the '054 application is inconsistent with PTO records, it is respectfully requested that the Office clarify exactly what is the nature of the discrepancy, as the two attached Filing Receipts of the respective applications show that Applicant's priority claim for '644 exactly matches the information shown in the Filing Receipt of '054 and no thus discrepancy can be found.

For the reasons indicated above and shown in the Attachments hereto, Applicant respectfully requests the issuance of a corrected filing receipt for the '644 application, or at least the above mentioned clarification. If needed, the undersigned may be reached at (408) 884-1507.

Respectfully submitted,

Date: January 30, 2004

  
Digital signature  
by: John A.  
Smart  
Date:  
2004.01.31  
06:46:09 -08'00'

John A. Smart; Reg. No. 34,929  
Attorney of Record

408 884 1507  
408 490 2853 FAX

Page 1 of 2

**Attachment #1****UNITED STATES PATENT AND TRADEMARK OFFICE**

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL. FEE REC'D	ATTY/DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/605,644	10/15/2003	2131	700	VIV/0012.01	5	55	3

**CONFIRMATION NO. 2643**

28853  
 JOHN A. SMART  
 708 BLOSSOM HILL RD., #201  
 LOS GATOS, CA 95032

**FILING RECEIPT**

\*OC000000011735607\*

Date Mailed: 01/22/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

**Applicant(s)**

Steven L. Telxeira, Palo Alto, CA;

**Assignment For Published Patent Application**

ZONE LABS, INC., San Francisco, CA;

**Domestic Priority data as claimed by applicant**

This appn claims benefit of 60/481,054 07/02/2003 \*

(\* Date provided by applicant is 07/02/2003 and PTO is 01/31/2004)

**Foreign Applications****If Required, Foreign Filing License Granted:** 01/21/2004**Projected Publication Date:** 01/06/2005**Non-Publication Request:** No**Early Publication Request:** No**\*\* SMALL ENTITY \*\*****Title**

System and Methodology Providing Information Lockbox

Preliminary Class

713

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

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**NOT GRANTED**

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